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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,189	11/30/2000	Fernando De Oliveira	1000-0203	5604
27902	7590	03/07/2005	EXAMINER	
ERICSSON RESEARCH CANADA 8400 DECARIE BLVD. MONTREAL, QC H4P 2N2 CANADA			PEZZLO, JOHN	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/727,189

Applicant(s)

OLIVEIRA, FERNANDO DE

Examiner

John Pezzlo

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-9, 11, 14 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 21 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 6-9, 11, 14, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

I. Claims 1 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti et al. (US 6,477,150 B1) hereinafter Maggenti in view of Rai et al. (US 6,577,643 B1) hereinafter Rai.

1. Regarding claims 1 and 21 – Maggenti discloses a communication network utilizing mobile devices, base stations, message switching centers, refer to Figure 1 and column 4 lines 25 to 32. Maggenti discloses the communication system utilizes the IP Internet protocol for transmitting messages between the mobile devices the base stations and the message switching centers, refer to Figures 2 and 3 and column 8 lines 10 to 43 and column 10 lines 10 to 20. Maggenti discloses a communication manager, which interfaces with a remote administrator and the remote administrator using the communication manager updates databases in the system and updates mobile devices in the network, refer to column 12 lines 15 to 44 and column 17 line 7 to column 18 line 60.

Maggenti does not explicitly disclose assigning the base station an IP address, a plurality of radio network devices deployed within a Base Station (BS), a signaling mechanism for receiving IP messages containing device update data from a Mobile Switching Center (MSC) through an IP packet data network, and means within the BS for updating at least one of the plurality of devices with the device update data.

Rai discloses handoff in a mobile IP system wherein update messages are sent between the home and foreign agents using the base stations and the message switching centers using IP protocol messages, refer to Figures 9 and 11 and column 14 lines 40 to 65.

At the time of the invention, it would have been obvious to an ordinary person of skill in the art that Maggenti would have assigned IP addresses to the base stations in order for the base stations to route packets on the IP network and Maggenti would have each base station employ multiple radio receivers/transmitters to communication with multiple mobile devices concurrently and that Maggenti would need to update data in the one of the base station's receivers/transmitters as the mobile units start to communicate or are handed over as part of a mobile handover from one radio cell to another and that Maggenti would have the means to update the one of the base station's devices (i.e. ...receiver/transmitter). The suggestion/motivation for doing so would have been that Maggenti discloses an IP mobile communication system utilizing base stations and message switching centers that utilize signaling and data channels for interfacing mobile units to the Internet. The benefit being that the base stations will be able to maintain addresses and information on each mobile unit as the mobile transitions between cells in the network in order to support handovers.

Allowable Subject Matter

Claims 2, 3, 6-9, 11, 14, 22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1 and 21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Turgeon et al. (US 6,735,441 B1) discloses methods and systems for providing mobile telecommunications network services in a routing node..
2. Liyo et al. (US 6,424,639 B1) discloses notifying a mobile terminal device of a change in point of attachment to an IP internetwork to facilitate mobility.

Art Unit: 2662

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

500 Dulany Street

Alexandria, VA.

John Pezzlo

25 February 2005



**JOHN PEZZLO
PRIMARY EXAMINER**